

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NEIL ROBERSON,

Petitioner,

Case No. C24-1993-RAJ

V.

SCOTT SPEER,

## Respondent.

## ORDER DISMISSING ACTION

The Court, having reviewed Petitioner's petition for writ of habeas corpus, the Report

and Recommendation of Michelle L. Peterson, United States Magistrate Judge, and the

remaining record, hereby finds and ORDERS:

(1) The Report and Recommendation is approved and adopted.

(2) Petitioner's petition for writ of habeas corpus (dkt. # 1-1) and this action are

DISMISSED without prejudice to Petitioner asserting any properly exhausted claims in his

pending federal habeas action filed under 28 U.S.C. § 2254, *i.e.*, *Roberson v. Speer*, C24-2030-

RAJ-MLP.

(3) Petitioner's application to proceed *in forma pauperis* (dkt. # 1), and all motions

23 filed in conjunction with his petition (dkt. ## 1-7 to 1-8), are DENIED as moot.

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PAGE - 1

1 (4) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the  
2 United States District Courts, a certificate of appealability is DENIED.

3 (5) The Clerk is directed to send copies of this Order to Petitioner and to the  
4 Honorable Michelle L. Peterson.

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6 DATED this 29th day of January, 2025.

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10 The Honorable Richard A. Jones  
11 United States District Judge